

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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HAKIM NASEER,

Plaintiff

v.

OPINION AND
ORDER

09-cv-569-bbc

CAPTAIN RADTKE, C/O NEUMAIER,
C/O ISAACSON, C/O SWENSON, C/O PULVER,
C/O TRIMBLE, C/O KROCKER, DR. TOBIASZ,
SGT. ROBERT MORRIN, SGT. JAMES KOTTKA,
C/O RYAN ARMSON, BRIAN CAHAK,
WILLIAM CONROY, JONATHAN PARKER,
LOGAN WALKER, LT. THOMAS SCHOENBERG
and CAPT. SEAN SALTER,

Defendants.

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In an order entered October 20, 2010, I granted defendants' motion for summary judgment and ordered that judgment be entered in defendants' favor. It has come to my attention that I did not address a recent motion of plaintiff's in which he asks the court to disregard certain parts of defendants' reply to plaintiff's response to defendants' proposed findings of fact. In particular, he takes issue with defendants' argument that he could not

dispute certain temperature log readings because he submitted the log and verified that it was “true and correct.” Plaintiff explains that he did not intend to state that he thought the logs were accurate, only that the document was what it seemed to be. There is no need to resolve this dispute because the order granting summary judgment does not rely on defendants’ argument. Although the temperature log readings were undisputed, this was because plaintiff had no admissible evidence suggesting the temperature inside the cells was any different from what the logs stated, not because he stated they were true and correct. Plaintiff’s motion to disregard defendants’ reply is DENIED as moot.

Next, defendants recently filed a motion to stay pretrial filings pending the outcome of the motion for summary judgment. This motion is also DENIED as moot.

Entered this 21st day of October, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge